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# WISCONSIN LEGISLATIVE COUNCIL

## RULES CLEARINGHOUSE

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### CLEARINGHOUSE RULE 01-086

#### Comments

**[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated September 1998.]**

#### **2. Form, Style and Placement in Administrative Code**

a. Section Adm 48.03 (1) (d) should be written as an introduction to the subsequent subdivisions by inserting “as follows:” at the end, for example.

b. Reference is made throughout the rule to the planning grant manual. This manual should be reviewed to determine whether it includes any substantive provisions that should be promulgated as rules. [See ss. 227.01 (13) and 227.10 (1), Manual.]

c. In s. Adm 48.03 (d) 1., “shall” should replace “must.”

#### **4. Adequacy of References to Related Statutes, Rules and Forms**

In s. Adm 48.02 (12), it is not clear why s. 59.69 (2), Stats., is cited.

#### **5. Clarity, Grammar, Punctuation and Use of Plain Language**

a. In s. Adm 48.03 (2), par. (d) should be placed in a separate subsection because it is not an activity for which an applicant would seek funding. In the alternative, the paragraph could begin: “(d) Activities undertaken by applicants that have received . . . .”

b. In s. Adm 48.04 (4), “reserves the right to” should be replaced with “may.” Also, “does” should be replaced with “do.”

c. In s. Adm 48.05 (2), applicants are eligible for not less than 50% of base level funding. However, in the example after sub. (3), the town is eligible for a grant of only \$9,000 rather than \$10,000. Should sub. (2) include the phrase “except as provided in sub. (3)”?

d. In s. Adm 48.05 (5), it appears that for a multi-jurisdictional plan, the 10% incentive is based on the total amount of potential base funding. However, the example calculates the 10% incentive based on 50% of the amount of base funding available. Further, in sub. (6), the incentive is calculated based on the total amount of potential base funding for the county. Please review these for consistency.

e. In s. Adm 48.05 (7), “can” should be replaced with “may.”

f. In s. Adm 48.06, each subsection should be written in complete sentences. For example, sub. (1) could be rewritten to read: “Thirty percent of the total points available shall be assigned to addressing the interests of overlapping or neighboring jurisdictions . . . .”

g. In s. Adm 48.06 (1) (c), a comma should be inserted following “plans” and “regarding” should be inserted following “especially.”

h. In s. Adm 48.06 (6) (b), the comma should be replaced with “and.”

i. In s. Adm 48.07 (1), “established by the council” should be deleted, as the rule does not require the council to establish the scoring requirements.

j. In s. Adm 48.09 (2), “for consistency requirements” is awkward and could be deleted.

k. In s. Adm 48.09 (3), “12 month” should be hyphenated.

l. In s. Adm 48.09 (4) (intro.), “all of the following occur” should be inserted before the colon, if this is what is intended.